

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIC DEWAYNE HATTON,

Plaintiff,

v.

MEEKS,

Defendant.

No. 2:21-CV-01551-TLN-CKD P

ORDER

Plaintiff is a county inmate proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On May 9, 2022, the court stayed this case for 120 days and referred this matter to the post-screening ADR pilot project. ECF No. 18. Defendant filed a request to opt-out of the settlement conference because “further investigation is required to appropriately evaluate Plaintiff’s claims.” ECF No. 19 at 1. Based on this information, the court construes defendant’s request as an extension of time rather than a motion to opt-out of the ADR pilot project. Therefore, the request is granted, in part, and denied in part.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant’s request to opt out of the Post-Screening ADR Project (ECF No. 19) is denied.

2. Defendant's request for additional time to investigate plaintiff's claims is granted.
3. Defendant is granted an additional 60 days to investigate and conduct informal discovery concerning plaintiff's claims before determining whether participation in a settlement conference is appropriate.
4. Defense counsel shall file any motion to opt-out of the Post-Screening ADR Project within 60 days from the date of this order.
5. If no motion to opt-out is filed within the timeframe permitted, defense counsel shall contact this court's Courtroom Deputy, Judy Streeter, at (916) 930-4004, to schedule the settlement conference.
6. The stay of this case is extended until further order of the court.

Dated: July 26, 2022



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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